

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Eric K. Mangiardi
Appl No.: 10/674,972
Filed: 09/30/2003
For: REMOVABLE BILIARY STENT

Confirmation No.: 4949
Group Art Unit: 3734
Examiner: Kevin Thao Truong

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

This is in response to the Office Action dated April 7, 2009, in which the Examiner has required restriction among several patentably distinct species, namely: FIGS. 1-3; FIG. 4; FIG. 5; FIG. 6; FIG. 7; FIG. 8; FIG. 9; FIG. 10, FIG. 11, and FIGS. 13-15. Applicant hereby provisionally elects with traverse to prosecute the claims of the species of FIGS. 13-15 and expressly reserves the right to file divisional applications or take such other appropriate measures deemed necessary to protect the inventions in the remaining claims. Applicants submit that at least Claims 1-12, 15, 16, 18, 19, 23-32, 35, 36, 38, 39, and 43-49 read on the species of FIGS. 13-15 and that Claims 1, 43, and 49 are generic.

Should the Examiner have further questions or comments with respect to examination of this case, it is respectfully requested that the Examiner telephone the undersigned so that further examination of this application can be expedited.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those, which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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